

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

PERRY LEWIS TURNER, SR.

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:04CV213-P-A

**TUNICA COUNTY, MISSISSIPPI
and JAMES DUNN, in his individual
capacity**

DEFENDANTS

ORDER

This cause is before the Court on the defendant's Motion to Strike Portion of Plaintiff's Affidavit [32]. The Court, having reviewed the motion, the response, and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motion is not well-taken and should be denied for substantially the same reasons as articulated in the plaintiff's response to the instant motion.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendant's Motion to Strike Portion of Plaintiff's Affidavit [32] is not well-taken and should be, and hereby is, DENIED.

SO ORDERED, this the 22nd day of November, 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE